

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6439

BILL NUMBER: HB 1129

NOTE PREPARED: Dec 3, 2003

BILL AMENDED:

SUBJECT: Passenger Restraint Laws.

FIRST AUTHOR: Rep. Budak

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: The bill provides that for purposes of the safety belt law a "passenger motor vehicle" includes a truck with a declared gross weight not to exceed 7,000 pounds. It makes it a Class D infraction if the operator of a motor vehicle with a passenger less than 12 years of age does not restrain the child by a child passenger restraint system or safety belt. It repeals a similar provision that applies only to passenger motor vehicles.

Effective Date: July 1, 2004.

Explanation of State Expenditures:

Explanation of State Revenues: After December 31, 2004, a truck with a gross weight less than 7,000 pounds would be included as a passenger vehicle for purposes of the seat belt law. Additionally, the bill would create a Class D infraction for persons operating a motor vehicle if a child between 4 and 12 years of age is not properly fastened or restrained by a child restraint system or a safety belt.

As of January 2003, there were 1,251,048 trucks registered with a weight less than 7,000 pounds. Although fines will depend on compliance and enforcement, the number of vehicles subject to seat belt use, based on vehicle registrations, would increase by 34%. If additional court cases occur, revenue to the state General Fund may increase if infraction judgments are collected. The maximum judgment for a Class D infraction is \$25, which is deposited in the state General Fund. If a criminal action, infraction, or ordinance violation involves a traffic violation, including this proposed offense, a highway work zone fee of either 50 cents or \$25.50 is assessed.

Revenue from each class of infraction is not separately identified in the state accounting system. Revenues

to the state from all infractions totaled \$10.6 M in FY 2003. There were 93,424 citations for seat belt violations for the 12-month period ending September 2002, and 3,053 citations for child restraint violations during the same time period. Assuming that citations for seat belt violations were to increase by 34% and that each citation resulted in a \$25 fine, the additional revenue to the state General Fund could increase by \$794,000. No data are available to indicate how many new infractions might result from the other provisions in the bill regarding all passengers being required to wear seat belts.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Bureau of Motor Vehicles Citations Listing Report by Offenses Entered; Bureau of Motor Vehicles Annual Registration County Count.

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